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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,570	07/25/2003	Eiji Ohno	2003_1029	9551

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SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

HARAN, JOHN T

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,570

Applicant(s)

OHNO ET AL.

Examiner

John T. Haran

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/25/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the first sentence should be amended to indicate that 09/547,879 is now U.S. Patent 6,613,170.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 5, 7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyamoto et al (WO 97/40494).

It is noted that U.S. Patent 6,309,485 is relied upon as an English language equivalent to WO 97/40494 and all citations refer to the U.S. patent.

Miyamoto et al discloses a method for manufacturing an optical disc from two substrates with central bores wherein radiation cure resin is coated on a first substrate, the second substrate is brought into close contact to form an integral assembly, the assembly is rotated to spread the adhesive evenly between the entirety of the substrates, the entirety of the assembly is irradiated to cure the resin, and the cured assembly is inspected for flaws and to and the thickness of the adhesive is detected throughout the assembly to ensure the thickness of the adhesive is within specified parameters (Figure 1; Column 5, line 62 to Column 6, line 5; Column 7, lines 47-54;

Art Unit: 1733

Column 8, lines 11-21 and lines 44-54; Column 15, lines 58 to Column 16, line 10). It is inherent that the flaw inspection and thickness detection detects whether the resin diffused towards the bores. Miyamoto et al anticipates claim 1. It is noted that the detection occurs after curing, however the claim language reads on such.

Regarding claim 3, Miyamoto et al discloses rotating to spread the adhesive (Column 8, lines 11-13).

Regarding claim 5, Miyamoto et al discloses sucking the resin from the bores (Column 8, lines 15-21).

Regarding claim 7, Miyamoto et al discloses using a laser focus displacement sensor to detect the adhesive thickness (Column 10, lines 50-54).

Regarding claim 13, Miyamoto et al disclose placing the assembly between two transparent plates and directing the uv radiation through one of the plates to cure the resin (Column 15, lines 12-25).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4, 6, 8, 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (WO 97/40494) in view of Kanashima (WO 97/35720).

Art Unit: 1733

It is noted that U.S. Patent 6,309,485 is relied upon as an English language equivalent to WO 97/40494 and all citations refer to the U.S. patent.

Miyamoto et al discloses a method for manufacturing an optical disc from two substrates with central bores wherein radiation cure resin is coated on a first substrate, the second substrate is brought into close contact to form an integral assembly, the assembly is rotated to spread the adhesive evenly between the entirety of the substrates, the entirety of the assembly is irradiated to cure the resin, and the cured assembly is inspected for flaws and to and the thickness of the adhesive is detected throughout the assembly to ensure the thickness of the adhesive is within specified parameters (Figure 1; Column 5, line 62 to Column 6, line 5; Column 7, lines 47-54; Column 8, lines 11-21 and lines 44-54; Column 15, lines 58 to Column 16, line 10). It is inherent that the flaw inspection and thickness detection detects whether the resin diffused towards the bores.

Miyamoto et al is silent towards inserting a dispenser into a gap between the substrate to fill the radiation cure between the substrates, however such is well known and conventional, as shown for example by Kanashima (See Figure 1). One skilled in the art would have readily appreciated that inserting a dispenser into a gap between to substrates to apply the adhesive and applying the adhesive on one substrate and then placing the other substrate on top are alternate expedients obvious over one another in the absence of any unexpected results. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the adhesive by inserting a

Art Unit: 1733

dispenser between the substrates in the method of Miyamoto et al, as such is an obvious alternate expedient as shown for example by Kanashima et al.

It is noted that the detection occurs after curing, however the claim language reads on such.

Regarding claim 4, Miyamoto et al discloses rotating to spread the adhesive (Column 8, lines 11-13).

Regarding claim 6, Miyamoto et al discloses sucking the resin from the bores (Column 8, lines 15-21).

Regarding claim 8, Miyamoto et al discloses using a laser focus displacement sensor to detect the adhesive thickness (Column 10, lines 50-54).

Regarding claims 10 and 12, one skilled in the art would have readily appreciated that it is conventional in the laser detection art to use a collimated ray and to apply the laser obliquely and it would have been obvious to do so in the method of Miyamoto et al as modified above.

Regarding claim 14, Miyamoto et al disclose placing the assembly between two transparent plates and directing the uv radiation through one of the plates to cure the resin (Column 15, lines 12-25).

6. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (WO 97/40494).

Miyamoto et al is relied upon for the teachings noted above in for claims 1 and 7. Miyamoto et al is silent towards the laser detector ray to be collimated or applied

Art Unit: 1733

obliquely, however such are both well known and conventional practices in the laser detection art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize such conventional practices in the method of Miyamoto et al.

Conclusion

7Any inquiry concerning this communication or earlier communications from the examiner should be directed to John T. Haran whose telephone number is (571) 272-1217. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John T. Haran
Examiner
Art Unit 1733